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ORIGINAL

BEFORE THE ARIZONA CORPORATION COMMISSION
RECEIVEDCOMMISSIONERS

SUSAN BITTER SMITH, Chairman

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2015 FEB 11 A 11: 53

AZ CORP COMMISSION
DOCKET CONTROL

Arizona Corporation Commission

DOCKETED

FEB 11 2015

DOCKETED BY

IN THE MATTER OF THE APPLICATION
OF ARIZONA PUBLIC SERVICE

COMPANY, PURSUANT TO ARIZONA

REVISED STATUTE § 40-252, FOR AN

AMENDMENT TO ARIZONA

CORPORATION COMMISSION DECISION

NO. 67828

) DOCKET NO. L-00000D-04-0127-00000

) SUPPLEMENTAL COMMENTS OF

) CONCERNED RESIDENTS OF

) SARAH ANN RANCH

) AND

) MOTION TO "STAY"

CLARIFICATION OF CONCERNED

RESIDENTS OF SARAH ANN RANCH'S

A.R.S. § 40-252 REQUEST

Late yesterday afternoon it was brought to the attention of the undersigned counsel for the Concerned Residents of Sarah Ann Ranch ("Concerned Residents") that there might be some uncertainty as to the precise relief or action they were seeking from the Commission through the Request Pursuant to A.R.S. § 40-252 for Commission Alteration or Amendment of Decision No. 67828 ("Request"), which was filed with the Commission's Docket Control on February 5, 2015. In that regard, at page 2, lines 9-17, the Request stated as follows:

"Simply stated, the Concerned Residents are requesting that the Commission exercise its discretion and authority under A.R.S. § 40-252 and alter or amend Decision No 67828 by widening the currently approved electric transmission line corridor along Cactus Road an additional 250' south from the centerline of Cactus Road for a distance of approximately one-quarter (1/4) a mile, in order to (i) allow that portion of the aforesaid electric transmission facilities which are the subject of this request to be constructed south of Cactus Road, and (ii) avoid the adverse impacts upon the Sarah Ann Ranch residential community which will otherwise occur if the transmission line facilities here in question are constructed on the

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north side of Cactus Road in that vicinity, as currently planned by APS.”

More specifically, the Concerned Residents are requesting that the Commission exercise its discretion and authority under A.R.S. § 40-252 and alter or amend Decision No. 67828, so as to change the electric transmission line corridor therein authorized for Arizona Public Service Company ("APS") from 1,000 feet north of the centerline of Cactus Road in the immediate vicinity of the Sarah Ann Ranch residential community to 250 feet south of the centerline of Cactus Road in that same vicinity for a linear distance of one quarter (1/4) mile. In other words, APS would no longer be authorized to construct the line north of Cactus Road in that particular area.

PROCESS FOR RULING UPON CONCERNED RESIDENTS' REQUEST

At the time the Concerned Residents filed their Request, they anticipated that the Commission could consider the same at either a Commission Staff Meeting or a Commission Regular Open Meeting following provision of the required advance public notice as to the consideration of and possible vote upon the Request. Obviously, the manner of process to be used is for the Commission to decide. In that regard, the Concerned Residents are available to provide oral argument through undersigned counsel and/or public comment, if the Commission believes that either or both would assist it in determining (i) how to rule upon the Concerned Residents' Request, and (ii) what further proceedings in Siting Case No. 127 might be appropriate, if any.

**“STAY” OF APS’ RESUMPTION
OF CONSTRUCTION ACTIVITIES
PURSUANT TO DECISION NO. 67828**

In their February 5, 2015 Request, the Concerned Residents expressed their hope that the Commission could expeditiously (i) consider the Request, and (ii) indicate whether or not it believed that the circumstances warranted some form of further proceeding or manner of development of a “record” in Siting Case No. 127 upon which the Commission

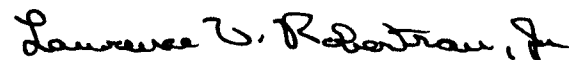
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1 could reach a final decision as to whether or not Decision No. 67828 should be altered or
2 amended as requested by the Concerned Residents. In that regard, the hope for such an
3 expeditious response was occasioned by APS' January 22, 2015 indication that it would
4 resume work on the electric transmission line here in question shortly (if not immediately)
5 after February 13, 2015.

6 Late yesterday afternoon undersigned counsel was advised that APS may begin
7 setting supporting electric transmission structures within the currently authorized
8 transmission line corridor in the immediate vicinity of the Sarah Ann Ranch residential
9 community as early as the week of February 16, 2015. The Concerned Residents had
10 hoped that APS would not undertake any activity of this nature prior to learning how the
11 Commission responded to the Concerned Residents' February 5, 2015 Request. That is,
12 they hoped APS would defer to the Commission for the moment and in essence voluntarily
13 "stay" the resumption of any construction activity on the transmission line in the immediate
14 vicinity of Sarah Ann Ranch, until it was known how the Commission intended to respond
15 to the Concerned Residents' Request. However, if the Commission is unable to at least
16 preliminarily act upon such Request prior to the close of business on February 13, 2015,
17 then the Concerned Residents hereby move for an order from the Commission directing
18 APS to "stay" the resumption of construction activity on the transmission line here in
19 question in the immediate vicinity of Sarah Ann Ranch residential community, until the
20 Commission decides whether or not and how to exercise its discretion and authority under
21 A.R.S. § 40-252 as requested by the Concerned Residents.

22
23 Dated this 11th day of February 2015.

24 Respectfully submitted,
25 Lawrence V. Robertson Jr.

26 

27 Attorney for Concerned Residents of
28 Sarah Ann Ranch

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2 ORIGINAL and thirteen (13) copies
3 of the foregoing will be filed the 11th
4 day of February 2015 with

5 Docket Control
6 Arizona Corporation Commission
7 1200 West Washington
8 Phoenix, Arizona 85007

9 A copy of the same will also be emailed
10 or mailed that same date to:

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15 Phoenix, Arizona 85007

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17 Utilities Division
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23 Transmission Line Siting Committee
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